



Committee Members

Carl Weimer, Chair • Leo Bowman, Vice Chair
Duane Henderson • Grant Jensen • George Hills
Pete Kmet • Dave Barnes • Katie Hansen
Richard Kuprewicz • Shirley Olson
Bill Rickard • Jean Buckner



Washington State Citizens Committee on Pipeline Safety

Meeting Minutes

Bellevue City Hall, Council Chambers - Bellevue, WA

July 19, 2006

Present

Carl Weimer, Chair
Leo Bowman, Vice Chair
Katie Hansen
George Hills
Richard Kuprewicz
Pete Kmet
Grant Jensen
Shirley Olson
Jean Buckner
Bill Rickard

Absent

David Barnes
Duane Henderson

Public present at the meeting

Steve King, Washington Utilities and Transportation Commission (UTC)
Alan Rathbun, Washington Utilities and Transportation Commission (UTC)
Tim Sweeney, Washington Utilities and Transportation Commission (UTC)
Ilyne Lawson, Washington Utilities and Transportation Commission (UTC)
Rebecca Post, Washington State Department of Ecology (DOE)
Pam Brady, BP Olympic Pipeline Company
Earl Tower, BP Olympic Pipeline Company
Keith Meissner, Cascade Natural Gas
Ken Meyer, Citizen, Seattle

Agenda:

1. Welcome, Introduction of Members and Visitors, Adoption of May 11, 2006 minutes
2. 2004-2005 Stakeholder Report
3. Discussion – Proposed 2007 UTC Request Legislation
4. UTC Update
5. OPS Committee Reports
6. "Public Right to Know"
7. Request to close Corrective Action Order

8. PHMSA/OPS Reauthorization
9. Update on Land Use Guidelines
10. UTC Interpretation request to PHMSA/OPS
11. Future Meeting Locations and Agendas – Other Business

1. **Welcome and Adoption of May 11, 2006 Meeting Minutes**

The meeting was brought to order. The Chair welcomed all members. The first discussion item was the minutes from the May 11, 2006 meeting. The committee members moved to adopt the minutes as written.

2. **Stakeholder Report**

Katie expressed her appreciation to Tim Sweeney for his assistance in the development of the 2004-2005 Stakeholder Report. The report contains a brief overview of the committee's accomplishments. The committee considered which organizations should be provided with a copy of the report. The committee recognized that the Stakeholder Report provides justification for the committee's existence and should be provided to the specific organizations rather than address it to a blanket legislative distribution list. The UTC, key legislative leaders, attorney general, OFM Staff (governor's policy office), governor's appointment secretary and governor were identified as some organizations that should receive copies of the letter. Staff suggested posting the letter on the committee's website. Instead of using the blanket legislative distribution list, it was recommended that the report be provided to the House and Senate leaders with a cover letter requesting their review and distribution as they deem fit. The committee was asked to take the next two weeks to review the contents of the report in case information should be added or deleted. Carl Weimer volunteered to start drafting the cover letter and then hand it over to Katie. Tim Sweeney will draft a distribution list that includes audiences that may be interested in the report. This distribution list will be sent to members for additions and edits.

3. **Proposed 2007 UTC Request Legislation 2007**

The UTC Pipeline Safety Program is developing draft legislation for consideration in the 2007 Legislative session. This proposal has not been approved by the three-member commission or by the Governor.

The intent of the draft bill is to:

1. Place safety regulation of all pipelines under RCW 81.88.
2. Repeal unnecessary pipeline safety sections in Chapter 80.28 RCW.
3. Amend "gas pipeline" definition so it is consistent with federal requirements.
4. Make penalty provisions consistent with federal requirements and across industry.
5. Extend safety oversight over all gas distribution systems, regardless whether the owner is government entity or not.
6. Allow safety oversight to occur on propane systems without requiring economic regulation.
7. Direct penalty payments to the pipeline safety account.

8. Update other definitions to make them consistent with federal regulations and repeal obsolete language and sections.

The Pipeline Safety Act (HB 2420) of 2000 contained a definition section, which included a definition of “gas” that is consistent with federal pipeline safety regulations. The definition section was codified in Chapter 81.88 RCW whose penalty and other substantive provisions apply only to hazardous liquid pipelines. The substantive natural gas pipeline provisions are in Chapter 80.28 RCW. The problems caused by the current definitions are (1) flammable, toxic and corrosive gas pipelines are not regulated and (2) uneven penalties.

Changing the current legislation is intended to accomplish:

- a. Treating all small gas systems equally, safely and efficiently
- b. Safety regulation of propane systems
- c. Routing penalty money into the pipeline safety account
- d. Making necessary technical corrections

Staff asked the committee for its support on the proposed modifications to the bill and requested the committee’s feedback.

4. **UTC Pipeline Safety Update**

Alan Rathbun, WUTC Pipeline Safety Director, provided an update from the pipeline safety section.

Williams NW Capacity Replacement Project

Construction of the 36-inch diameter replacement project is in full swing and appears on schedule for completion around November 1. Of the four construction segments, the Fort Lewis segment is farthest along with approximately 90% of the pipeline welded and backfilled. The open cut of the Nisqually River on this segment is scheduled sometime after August 1.

UTC staff is monitoring construction. In addition to reviewing construction practices, PHMSA/OPS asked us to pay special attention to the condition of Williams’ parallel 30-inch pipeline. The concern is whether there is any sign of Stress Corrosion Cracking (SCC), the cause of the two 26-inch failures in 2003. To date, no evidence of SCC on the 30-inch has been discovered.

Comments

Williams Safety Related Condition in Spokane District

In early June, Williams shut down a pipeline segment in Spokane. Williams Gas Pipeline reported a safety related condition to the federal Office of Pipeline Safety and shut down approximately six miles of their 16-inch pipeline north of Spokane near Whitworth College. The shutdown occurred after Williams discovered some problems with the integrity of the manufactured seam which runs down the length of the pipe. Four areas of concern (anomalies) were originally identified during an inline robotic inspection of

the pipeline conducted last summer. In following up on those concerns, Williams conducted exploratory digs along the approximately six mile stretch of pipeline and found problems with the longitudinal seam. A routine leak survey also found a leak originating from a crack in the seam in that same stretch of pipeline. The company replaced the Lone Star manufactured pipeline at and on either side of all areas where pipeline anomalies were found.

Williams recently completed hydrostatic testing ensuring that no long seam defects threatened the pipeline's ability to sustain maximum operating pressure. Company officials hoped to return the pipeline to full service no later than July 13th.

UTC Damage Prevention Initiative

All pipeline operators have responded to a data request listing excavators who have damaged their pipeline facilities without first requesting a locate through the one call service. Staff is analyzing this data and will select cases for possible prosecution by the Attorney General. Our preliminary review of the data illustrates that distribution companies experience almost all dig-ins. Transmission pipeline operators have not reported any damage as a result of not using the "one-call". A similar report of "no damage" came from liquid operators, but some did report near hits.

We also met with representatives of the Utility Contractors Association. They had heard about our initiative and wanted to understand the process we were pursuing. While they support penalizing repeat and flagrant violators, this organization has major concerns with the lack of penalties for untimely or inaccurate locates.

Shirley Olsen mentioned that she recently saw landscapers digging in her neighborhood and asked if they had contacted "One Call." The landscaper digging was clearly agitated as he told the committee member that he knew what he was doing. The committee discussed who should be contacted in similar situations that may cause alarm. Shirley Olsen will provide UTC staff with the contractor's name after the meeting.

Northern Star (Bradwood Landing LNG) files with FERC

On June 15, Bradwood Landing, LLC and NorthernStar Energy, LLC, filed a request with the Federal Energy Regulatory Commission (FERC) seeking a certificate of public convenience and necessity authorizing construction, installation, ownership and operation of a liquefied natural gas (LNG) terminal and natural gas pipeline. The developer has proposed to place the terminal on the Columbia River directly across from Puget Island and the City of Cathlamet. The proposed 34-mile pipeline will extend from the LNG terminal to its connection with Williams Gas pipeline in Cowlitz County, near Longview. The UTC decided to intervene in this project with our primary interests being the safe design, siting and construction of 17 miles of pipeline in Washington.

Visit by PHMSA Administrator Barrett

Thomas J. Barrett, newly-confirmed administrator of the Pipeline and Hazardous Materials Safety Administration and retired Coast Guard vice admiral, visited

Washington July 8 and 9. His tour included a visit with the board of the Pipeline Safety Trust and a walk along Whatcom Creek in Bellingham. Barrett also visited a construction site on Williams Pipeline capacity replacement project. Tim Sweeney represented the UTC during the tour. In addition, David Danner and Steve King met with Barrett Sunday morning for further discussion. This discussion included elements being considered as part of Congress' PHMSA reauthorization.

5. **OPS Committee Reports**

Carl Weimer and Rick Kuprewicz reported on recent subjects discussed at a recent meeting of the Technical Hazardous Liquid Pipeline Safety Standards Committee (THLPSSC) and Technical Pipeline Safety Standards Committee (TPSSC).

Low Stress Pipelines

Carl Weimer discussed low stress pipelines and the recent experience on Alaska's North Slope. Although there are no known low stress pipelines in Washington, there has been a national emphasis on low stress pipelines ever since British Petroleum's pipeline leak. Low stress pipelines in rural or scarcely populated areas are currently exempt from federal regulation. During a recent workshop, methods of undertaking a rulemaking on low stress pipelines were explored. The American Petroleum Institute has proposed regulating low stress pipelines within a certain distance to unusually sensitive areas.

Control Room Management

Rick Kuprewicz discussed Control Room Management. National Transportation Safety Board (NTSB) wrote a letter of recommendation to PHMSA last year after investigating some of the recent pipeline failures. 10 of 13 major releases on liquid pipelines were Supervisory Control And Data Acquisition (SCADA) influenced factors that occurred in the control room. PHMSA responded to four of the five NTSB recommendations that relate to ergonomics, alarms, displays, access control room procedures and shift operations. NTSB's fifth recommendation is to require leak detection systems on liquid pipelines, other than what is presently required under API 1130, Computational Pipeline Monitoring for Liquid Pipelines.

Availability of Maps

Carl Weimer discussed the availability of maps. For a year and a half, OPS/PHMSA has been prospecting the idea of making maps available on the internet for public review. OPS/PHMSA implemented independent studies conducted by security consulting firms to identify any security risks that maps on the internet may cause. After examining the maps, both consulting firms' concluded that posting the maps would not result in any security risks. After waiting for 6 months, OPS/PHMSA met with Homeland Security to discuss likelihood of posting the maps to the internet. While the consulting firms' independent studies were unable to detect any security risks, homeland security determined that the maps were a credible threat. Based on the outcome of its meeting with Homeland Security, OPS/PHMSA seems to have now been tabled the issue for now.

- **Comment: Williams' Pipeline Safety Concerns**

Sumas: Grant Jensen informed the committee of an incident that occurred in mid-June and was reported in the Bellingham Herald. The incident involved an intoxicated individual and the Williams Pipeline in Sumas. The male wrecked his car in a nearby ditch. The male first used a Williams' backhoe to retrieve his car from the ditch, and then proceeded to dig in the ground where a pipeline was located. Although no one was hurt, the pipeline was hit. The culprit has since voluntarily come forward and confessed to the crime.

Snohomish: Grant Jensen also reported an incident in Snohomish County that occurred on July 6. An explosive device was found in the right of way a few feet from Williams' 30 inch pipeline. The Snohomish County Sheriff and the Snohomish County Bomb Squad were notified. The explosive device was identified as a one-inch piece of PVC, five-inches long, full of gun powder, with caps glued to each end – a hole encasing a fuse was drilled into one of the caps. The bomb squad destroyed the device using a water canon. There was no damage. The investigation concluded that the device was probably not related to terrorist activity, but more than likely a left-over, unexploded firework from July 4.

6. **"Public Right to Know"**

Tim Sweeney led a follow-up discussion on the committee's Right to Know Project. At the May meeting, committee member selected four of the most important informational items for UTC staff to research and make available to the public. After examining the items requested by the committee, staff required more detailed explanations of the committee's expectations. Staff's feedback included asking the committee questions and providing comments about what types of information is already available.

1. **Basic Pipeline Information**

The committee concluded that the pipeline name, route, length and content data that is provided on its website satisfies its request for making basic pipeline information available.

Additional requests made by the committee include:

- pipeline system operation start dates
- a statement directing inquirers to the appropriate point of contact for inquiries pertaining to operation start dates in specific locations
- accuracy check of the contact information currently available on the committee's website
- the addition of operator's web addresses added to the contact information
- a disclaimer emphasizing that emergency contact information is not included within the contact information

2. Pipeline Maps

Staff showed the committee different maps that could be posted to the web as a starting point. Three versions of maps were displayed to demonstrate the load times for an easy loading map, a first responder map, and a first responder scale with aerial photography removed. Staff also asked the committee to consider the load times for a high-speed internet versus a dial-up internet connection when determining the level of detail the maps should have. The committee was most impressed with an extremely detailed map of Texas and members agreed that something similar should be the committee's goal.

Shirley Olsen made a motion, seconded by Rick Kuprewicz, that maps without the aerial photographs and the yellow detail information removed, with the addition of the locate number and disclaimer that locations are estimations meets the initial wishes of the committee. By a unanimous vote, the committee agreed to the motion.

3. Incident/Accident data

To gain a better understanding of what incident/accident data the committee would like to see, staff displayed the PHMSA and UTC news pages. The committee liked the information shown on both pages.

Katie Hansen made a motion, seconded by Jean Buckner, to adopt the UTC and PHMSA websites and provide the information by company name as part of the committee's first phase of the "right to know" project. The committee unanimously agreed to the motion.

4. Contact & Emergency Information

Due to time constraints, the committee was asked to ponder types of emergency situations where emergency contact information would be necessary. Tim Sweeney mentioned that he had some thoughts about what the emergency contact information could consist of and the committee requested for Tim to e-mail his ideas to committee members.

7. Request to close Corrective Action Order

To clarify the agenda item, Alan Rathbun explained that Olympic Pipeline has requested to return to its normal operating conditions - not to close its corrective action order. Speaking in place of Dave Barnes, Pam Brady with the Right of Way Group of Olympic Pipelines spoke before the committee. Pam explained that Olympic Pipeline has not only completed all of the required corrective action items, it has implemented improvements beyond OPS' requirements. Olympic Pipeline has been under an operating restriction since 1999. Olympic submitted a letter to OPS requesting for the operating restriction to be completely lifted. Since Olympic is currently operating at 80%, the committee asked to be informed once Olympic Pipeline is operating at 100% and staff agreed to inform the committee.

Leo Bowman made a motion, seconded by Rick Kuprewicz, for the committee to make a statement declaring its concurrence with Olympic Pipeline's request to return to normal operating conditions, contingent upon a favorable review by OPS and UTC. In a unanimous vote, the committee approved the motion.

8. **PHMSA/OPS Reauthorization**

In early June, PHMSA's draft legislation for the reauthorization of the Pipeline Safety Improvement Act was distributed for comment. In the beginning of July, Congressman Don Young of Alaska introduced HR 5782. The bill may be perceived as cutback version of PHMSA's draft, but HR 5782 also includes some major elements such as directing states to implement damage prevention programs that replicate the Virginia model and enforcing deadline dates on Distribution IMP. HR 5782 rapidly passed its first Congressional Committee, the Transportation and Infrastructure Committee, chaired by Congressman Young. In the last week of July, PHMSA reauthorization will be considered by the Energy and Commerce Committee and at some point thereafter it will be examined by the Senate.

Alan Rathbun discussed the UTC's concerns over the inclusion of the Virginia damage prevention model in HR 5782 as a stipulation to determine states' certification eligibility. The UTC is preparing a letter to the congressional delegation expressing its concern that the pipeline safety program will be at risk if the legislature does not pass a bill similar to the Virginia model of damage prevention. In addition to impacting the certification of UTC's pipeline safety program, the states' implementation of a Virginia model influences the funding eligibility of the program. Current federal funding is capped at 50%, but the proposed bill will increase the cap to 80%, which appears to be contingent upon the states' ability to adapt to the Virginia model.

9. **Update on Land Use Guidelines**

The Land Use Guideline Report is a culmination of efforts devoted by an adhoc workgroup over a period of years and a series of meetings. The report has been brought to the attention of all the operators in the state to encourage the use of the report as part of their Public Awareness Program (API RP 1162) obligations. The objective of the report is to promote communication between pipeline operators, local governments, and property owners. The concept of the report is to advocate early consultation between developers and operators. Staff will be attending annual meeting of Washington State Association of Counties in September.

The committee requested a formal presentation on Land Use Guidelines from the UTC at a future meeting.

Carl Weimer extended the meeting an additional 15 minutes.

10. **UTC Interpretation request to PHMSA/OPS**

In 2001, pipeline safety staff's inspection of a repaired pipe provoked some regulatory questions concerning the interpretation gas rules within of Code of Federal Regulations. Staff's interpretation of the rules concluded that pipe repairs made in the field should be tested to confirm that the pipe has been restored to its manufactured integrity and has the ability to return to normal operating pressure; however, there are conditional exemptions related to the rule that require further elaboration. On June 24, 2001, the UTC requested clarification from the Manager of Regulations for the Department of Transportation to ensure the safety of a repaired pipe. Since 2001, staff has continued to

ask for responses to its 5 year old interpretation request, but has been unsuccessful in its attempts. If the committee directs a letter to the Department of Transportation (DOT) that references the safety aspect of the interpretation request, the federal requirement will compel DOT to respond within 90 days.

Pete Kmet made a motion, seconded by Shirley Olsen, for staff to draft a letter for signature by the Chair requesting a response to Washington's interpretation of June 2001. Shirley suggested that staff send an e-mail to the committee members and Alan agreed to draft a letter. By a unanimous vote, the committee agreed to submit a letter to DOT.

11. Future Meeting Locations and Agendas – Other Business

Next Meeting

The next Citizens Committee meeting is scheduled for Wednesday September 13, 2006 City of Spokane Fire Department Training Center and on Thursday September 14, 2006 observe the Oil Spill Drill. Meeting times and specific location details will be addressed at a later date.

The meeting adjourned at 3:45 PM.